

**ASSEMBLY BILL**

**No. 1464**

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**Introduced by Assembly Member Bates**

February 21, 2003

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An act to add Chapter 5.5 (commencing with Section 47628) to Part 26.8 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1464, as introduced, Bates. Charter schools: authorization.

The existing Charter Schools Act of 1992 permits teachers, parents, pupils, and community members to petition the governing board of a school district to approve a charter school to operate independently from the existing school district structure as a method of accomplishing, among other things, improved pupil learning.

This bill would, notwithstanding any other provision of law, authorize nonprofit charitable organizations, the governing body of a private university or college that offers a specified teacher training program, the chancellor of a campus of the University of California, the president of a campus of the California State University, or the governing board of a community college district to approve a petition submitted to establish a charter school within the county in which that entity is located or maintains a campus. The bill would, in addition, authorize the mayor of a city having a population of 250,000, or more, to approve a petition submitted to establish a charter school within that city.

The bill would require the chartering authority to supervise and oversee each charter school that it approves.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Chapter 5.5 (commencing with Section 47628) is added to Part 26.8 of the Education Code, to read:

CHAPTER 5.5. ALTERNATIVE PETITIONING PROCESS

47628. Notwithstanding any other provision of law, the chancellor of a campus of the University of California, the president of a campus of the California State University, or the governing board of a community college district may approve a petition submitted to establish a charter school within the county in which that entity is located or maintains a campus.

47628.1. Notwithstanding any other provision of law, a nonprofit charitable organization organized under the Internal Revenue Code pursuant to paragraph (3) of subdivision (c) of Section 501 of Title 26 of the United States Code, that reports an end-of-year fund balance of at least two million dollars (\$2,000,000), may approve a petition submitted to establish a charter school within the county in which that organization is located.

47628.2. Notwithstanding any other provision of law, a private university or college that offers a teacher training program approved by the California Commission on Teacher Credentialing, may approve a petition submitted to establish a charter school within the county in which that university or college is located.

47628.3. Notwithstanding any other provision of law, the mayor of a city having a population of 250,000 or more, may approve a petition submitted to establish a charter school within that city.

47628.5. Each chartering authority specified in this chapter is responsible for supervising and overseeing each charter school that it approves pursuant to this chapter.

47628.6. A petition submitted pursuant to this chapter shall comply with the procedures and requirements contained in Chapter 2 (commencing with Section 47605) and Chapter 3 (commencing with Section 47610), except to the extent those provisions are inconsistent with this chapter. For the purposes of this chapter, all references to “governing board” in Chapter 2

1 (commencing with Section 47605) and Chapter 3 (commencing  
2 with Section 47610) shall mean the chartering authorities  
3 identified in this chapter and all references to “school district” in  
4 those chapters shall mean the area in which the charter school will  
5 be located.

6 47628.7. This chapter does not apply to the University of  
7 California, unless the Regents of the University of California  
8 adopt a resolution making that provision applicable.

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